

Military Government

Weekly

Information Bulletin



OFFICE OF THE DIRECTOR
OFFICE OF MILITARY GOVERNMENT (U. S. ZONE)
UNITED STATES FORCES EUROPEAN THEATER

REPORTS AND INFORMATION BRANCH

WESTERN MILITARY DISTRICT

GREAT HESSE, NORTH WÜRTTEMBERG-BADEN

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MILITARY GOVERNMENT LETTERS AND INSTRUCTIONS ISSUED DURING THE WEEK

Amendments to the Directive to Commanding Generals, Military Districts, dated 7 July 1945, Subject: Administration of Military Government in the U. S. Zone of Germany.

Amendment to Section, "Removal of Nazis and Militarists in the German Reichspost"	20 November 1945 (file AG 014.1 GEC-AGO)
Release of Soviet Citizens, Subject to Repatriation Under the Yalta Agreement, from Employment by Germans in the U. S. Zone	17 November 1945 (file AG 383.7 GEC-AGO)
Amendment to Letter, "Instructions to Military Government Finance Officers No. 2 and No. 3," (File GEC-100 [Germany] dated 22 October 1945)	20 November 1945 (file AG 014.1 GEC-AGO)
Action to Strengthen German Civil Administration in the U. S. Zone	21 November 1945
Uniform for Military Intelligence Interrogators and Investigators	21 November 1945 (file AG 421 GBI-AGO)
Amendment (Channel of Communication to the Council of German Minister Presidents of the U. S. Zone) to Letter, "Regional Government Coordinating Office", dated 2 November 1945	21 November 1945 (file AG 322 GEC-AGO)
Amendment to Inclosure 2 (Section III — Political Activities) to Letter dated 27 August 1945	23 November 1945 (file AG 014.1 GEC-AGO)
Amendment (Local Government Codes and Elections) to Directives. "Administration of Military Government in the U. S. Zone in Germany," dated 27 August and 20 September 1945, (File AG 014.1 GEC-AGO), and Directive GE-000.1, "Gemeinde Elections in U. S. Zone," dated 12 October 1945	23 November 1945 (file GE-EX 000.1)
Amendment to Section XXV, Reports and Information on Administration of Military Government in the U. S. Zone in Germany, dated 3 August 1945	23 November 1945 (file AG 014.1 GEC-AGO)
Applicants for Information Control Activities	24 November 1945 (file AG 201.3 PMG-AGO)



The **JANUARY** Elections

The Office of Military Government, U. S. Zone, issued (November 23rd) a Directive on local government codes and elections under which local councils will be elected in approximately 11,000 Gemeinden. This is an important step toward restoring the representative basis of local democracy which Hitler destroyed twelve years ago and toward forcing the Germans to assume a greater share of responsibility in their own affairs.

Military Government officers generally feel that January is too soon to hold elections, because the Germans are preoccupied with the immediate problems of food, fuel, clothing and shelter. As far as the larger cities are concerned, such an objection is valid, but it is less true of smaller communities which, on the whole, have suffered comparatively little war damage and in which the conditions of life are easier. Many Gemeinden in the U. S. Zone have fewer than 5,000 inhabitants and should be able to hold elections on comparatively short notice. The directive specifically excludes Stadtkreise and other Gemeinden with more than 20,000 population from the January elections.

Military Government regulations applicable to the elections are chiefly found in four Directives issued as follows: August 27th as amended November 23rd (Political Activities and Formation of Political Parties); September 20th (Local Government Codes); October 12th (Police Registra-

USFET has returned the local election codes to the Land Governments and issued its directive on the elections to be held in January.

tion Files to be Kept up to Date so That Lists of Voters May be Promptly Prepared from the Files); and November 23rd (Local Government Codes and Elections).

The Directive of August 27th authorizes the formation of democratic political parties under prescribed conditions and subject to the approval of Military Government. Approval has already been given to a considerable number of parties, but there will doubtless be others which will make application in the near future. Since the time is short, it is imperative that Military Government officers expedite action on these applications. Under the November 23rd amendment, parties may be organized on a Land basis and not just on a Kreis basis. For parties organized on a Land basis, the Land Office of Military Government will be responsible except for the security requirements of political meetings for which the Kreis Military Government Office is still responsible.

"HANDS OFF"

In general the primary responsibility for the elections rests upon the German Land and local governments. The role of Military Government will be

largely that of supervision and facilitation. To avoid any possible charge of bias, prejudice or favoritism on the part of military personnel, the role of Military Government will be to maintain a "hands off" policy towards politics and election matters except to insure a fair, orderly and impartial election, and compliance with the provisions of Directives.

The November 21st Directive purposely leaves many things to the Land governments. The local government codes (Gemeindeordnungen) have already been drafted by the Land governments and approved by the Office of Military Government for Germany (U. S.). The Gemeindeordnungen contain provisions relating to the suffrage, the method of election (proportional representation of majority election system), terms of office organization and powers of Gemeinde governments, etc. The details relating to the conduct of elections are found in Land Wahlordnungen. The Gemeindeordnungen and the Wahlordnungen constitute the German law governing elections.

The September 20th Directive specifically states that the date of the election will be "determined at the discretion of the detachment commander of the military government detachment having jurisdiction over the Gemeinde concerned". Subsequent developments have made this provision obsolete. It is now contemplated that each Land government, in consultation with the Office of Military Government for that Land, will determine the date or dates of elections. The commander of each Landkreis Military Government Office will, however, be responsible for certifying that the elections in the Gemeinden under his jurisdiction are "consistent with military security".

Before 1933 German elections were normally held on Sunday, and it is

likely that the same plan will be followed in January. Because of the shortness of the time, the first Sunday in January may be out of the question, but January 13th, 20th, and 27th are possible dates.

The November 21st Directive defines German citizenship for purpose of voting, fixes the minimum voting age for men and women at 21 years and prescribes that not more than one year of residence in the Gemeinde prior to the election may be required as a qualification for voting. One year was the maximum residence requirement permitted under the Weimar Constitution of 1919. Under the Directive, a Land government may set any residence requirement so long as it not over one year.

The Directive defines the four categories to be used in the denazification of voters.

Excluded from the suffrage by Par. 6a are "persons in the mandatory arrest categories unless already released from arrest". Since most of these people are still actually under arrest in detention centers, they will physically be unable to vote even if otherwise qualified. Persons who have been released from arrest or from arrest categories may vote, if they are not disqualified, under Pars. 6b, c, and d.

Par. 6b excludes two principal groups — the Nazi party members and the members of the SS. No person who has been at any time a member of the SS may vote. In the case of Nazi party members, a line is drawn between those who joined before May 1st 1937 and those who joined afterwards. No individual who joined the party before May 1st, 1937 may vote.

All active party members who joined after that date are likewise denied the vote. But what is an "active" party member? An "active" par-

ty member is one who has been an official, officer or non-commissioned officer of the party or who has otherwise demonstrated that he was more than a nominal participant in its activities.

Par. 6c excludes officials, officers or non-commissioned officers at any time of Sturmabteilung (SA), Hitler-Jugend (HJ), Bund deutscher Mädel (BdM), NSD-Studentenbund, NSD-Dozentenbund, NS-Frauenschaft, NS-Kraftfahrkorps and NS-Fliegerkorps.

Officials or officers of the party organizations (Gliederungen) and of the associated organizations (angeschlossene Verbände) are excluded from voting, except insofar as they are not party members.

Under Pars. 6b and c, officials, officers and non-commissioned officers include all persons whose functions or responsibilities in the party and the party organizations entailed any duty or authority beyond that of the ordinary member.

Par. 6d denies the vote to "known nazi sympathizers and collaborators". This is the most difficult of the categories to enforce according to objective standards. It is not intended to be indiscriminately used on the basis of mere denunciation but should be invoked only where the evidence of sympathy or collaboration is clear and where it is not possible to disfranchise under categories a, b, or c.

DENAZIFICATION a GERMAN TASK

Undoubtedly a large number of Germans will be kept from voting under the categories of Par. 6. This does not necessarily mean that all such people will be permanently disfranchised. The German Land governments will later be given an opportunity to work out methods for restoring the suffrage to Germans who have been cleared. But for the present, the men and women responsible for wrecking democracy in

Germany will not be allowed to participate in the first elections of the post-Hitler era.

The administration of denazification of voters will be carried out according to the methods prescribed by the Land governments in consultation with the Land Offices of Military Government. It may be that the Land Governments will entrust the responsibility to the regular precinct and Gemeinde election committees which are provided for in the election laws. Another method is by special Fragebogen filled out by the voters themselves. This was used with considerable success in the preparations for the Austrian elections of November 25th. In any event, the problem is one for the Germans themselves to solve. Military Government officers are not called upon to vet the voters but will judge and report through Military Government channels the adequacy of the German effort.

In addition to ensuring that the elections are held "consistent with military security", Military Government must ensure that candidates are eligible to vote and hold office.

The November 21st Directive states that candidates for the Gemeinde Council must be qualified voters and that Military Government at the Landkreis level "will disapprove candidates who have not been completely cleared of nazi ideology". Here Military Government does have a direct responsibility for ascertaining that candidates meet the qualifications for voting and also for holding office as prescribed in Section II of the July 7th USFET directive. Military Government should endeavor to complete its examination of candidates as promptly as possible before the election. This may not be feasible in the case of last-minute en-

tries. These late comers should not be automatically excluded but will have to run the risk of being disapproved after the election.

It will not be easy to hold elections under present conditions. Shortages of equipment and supplies will without doubt be widely felt. In particular, paper will be needed for election posters and proclamations and for printing the official ballot envelopes and ballots. Military Government officers will do

all they can to assist German officials in securing the necessary equipment and supplies. Moreover, Land and Kreis governments may require additional transportation and communication facilities if the elections are to be carried through on schedule. Here again Military Government can help. Finally, Military Government should facilitate the prompt return of the election results through German channels by the quickest available means.

Political Activity at Land Level

Permission for the formation of democratic political parties to engage in political activities throughout each Land can now be granted by Regional Detachments, according to an amendment to the July 7th Directive (Section III, Political Activities, issued August 27th) which was published on November 23rd.

The Potsdam Agreement provides that: "All democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany." As a first step towards implementing this premise, political parties were authorized in August to organize at Kreis level. At the time, it was undesirable to permit organization at higher administrative levels, chiefly because it was considered that the Land governments were not sufficiently stable to permit extended political activity at their level. Communications were so inadequate that, had political parties been allowed initially to organize at Land Level and then to filter down to the people throughout the Kreise, it would have been far more difficult to adjust the political parties to the real political inclinations of the people.

Having been forced to establish themselves initially at Kreis level, the

USFET has authorized political parties to expand their activities from Kreis to Land level organization.

political parties which are now flourishing in the U.S. Zone have an authentic "grass-roots" quality about them — and an appeal which has a far more personal and vital interest to the individual German than if they had been started in the Land capitals and had, conceivably, been in the hands of persons far less capable of handling political questions than those who will now arise.

ATTITUDE OF LAND OFFICIALS

The Minister Presidents and their cabinets all recognized the value of the political parties as they were originally formed at Kreis level, and have looked forward to the time when the step of allowing the parties to form at Land level could be taken. They have felt the need for a contact with the people — a contact which can only be obtained through political channels. There has also been the question of emphasizing the coalition characteristics of each of the three

cabinets, which correspond roughly to the political parties now active. The Minister Presidents have, in addition, felt that permitting the parties to organize at a Land level would give them a popular support which they do not now enjoy.

All the major political groups, of course, have ardently sought for permission to operate at Land level. That they are sufficiently established at Kreis level from a "grass roots" point of view is demonstrated by the analysis of the returns of the Military Government Political Activity Report (see page 13). Not only have the two left-wing parties (the Communists and Socialists) but also the so-called bourgeois parties have looked forward to extending their organization to higher administrative levels.

Both German Officials and Military Government officers have felt that the political parties, permitted to operate at Land level, could assist the Land governments by: Preparing for the coming elections in communities which are now wanting both in leaders and interest; emphasizing the political responsibility of the citizen towards establishing the democratic way of life; carrying on positive propaganda which would run parallel to denazification; developing new leaders, at the same time working among former Hitler-Jugend and returned PWs; and by developing and disciplining their own party organizations throughout the Land.

Of particular importance to the Land governments is the need for Land level organization of political parties prior to the coming elections, so that there may be a cohesion along democratic lines brought about by the election.

Thus, within the limitations set down by the Potsdam Agreement, the Germans in this Zone may anticipate clearly defined unities, disagreements, and issues which will be of interest to the

whole Land (agricultural reform in Greater Hessen, for example) such as are healthy and necessary to a democracy.

IMPLEMENTATION OF DIRECTIVE NEEDED

The permission now granted to parties to organize on a Land level, as set forth in the Directive, is merely a permission in principle. The Regional detachments are required to inform the political parties, and to make the necessary readjustments in order to supervise political activities. For instance, existing authorized Kreis political parties may continue their separate existence if they wish. The fact that there will be Land level political activity must be taken into account in effecting the October 5th Directive on the Reorganization of Military Government.

Problems of other kinds will undoubtedly arise. The directive, for example, makes no provision for the limitation of the number of political parties. It merely states: "Except for the extent of the area of activity, all provisions of the directive referred to (in the basic Directive) shall be applicable to such parties and their activities, and to the procedures for, nature of, and reports on permissions." The Land Hessen government has directed that before a political party or a coalition of several parties may enter candidates for election within the Land it must prove that it has twenty per cent of the electorate. This is considered a legitimate means of limiting the number of parties. Such legislation comes before Military Government for approval prior to being adopted. The Land detachments will have many such problems of a political nature on which decisions, bearing on political parties at their administrative level, will have to be made.

Towards STRONG CIVIL ADMINISTRATION

In a letter* dated November 21st, the Director, Office of Military Government, U.S. Zone, brought together in one paper all of the data thus far published by USFET on the functions of the German Civil Administration and its relationship to Military Government. It is published below in its entirety for the information of all concerned with the two significant directives issued on November 23rd, which have been discussed in preceding articles of this issue.

I. The steps which have been taken to accomplish the objective of requiring German authorities to exercise responsibility for the operation of the machinery of government make it necessary that the Minister Presidents of the several States be fully informed of their responsibilities and the powers which they may exercise and of the control which will be maintained by Military Government. The information given in the succeeding paragraphs of this letter will therefore be transmitted to such Minister Presidents:

1. RELATIONSHIP OF MILITARY GOVERNMENT TO THE GERMAN AUTHORITIES.

The relationship between Military Government and the German authorities is based upon the establishment of an autonomous state government in the three states of the United States

Zone subject to a centralized Military Government control applied at the local state government level. (Incl. 3 to ref. c.).

2. CONSTITUTION OF LÄNDER.

Three Lander were constituted in the U.S. Zone for Germany by the Theater Commander's Proclamation No. 2. (Incl. 3 to ref. c.).

3. ORGANIZATION OF STATE (LAND) GOVERNMENTS.

Provision was made for each to have a state government, with executive, legislative, and judicial powers, the state government to exercise all powers and responsibilities formerly exercised by the state and in addition, within the state, the powers formerly exercised by the Reich government. The state government is composed of functional Ministries, responsible for the performance of all functions, including those formerly performed therein by Reich agencies. Such Ministries are subordinate to and accountable to the Minister President, who in turn, is responsible to the Director, Office of Military Government for the state (Land). (Incl. 1 and 3 to ref. c.).

4. POWERS AND RESPONSIBILITIES OF THE STATE (LAND) GOVERNMENT.

The state government has full responsibility for the operation of the machinery of government within the state and the authority to take whatever action is necessary to fulfill such responsibility, subject to such control as must be exercised by Military Government to accomplish the purposes of the occupation, and except as the exercise thereof would be in conflict

*letter headquarters USFET, Office of Military Government (U. S. Zone) subject: Action to Strengthen German Civil Administration in the U. S. Zone, dated 21 November, addressed to the Directors of the Offices of Military Government for Western Military District, Bavaria, Greater Hessen, and North Baden-Württemberg.

with actions heretofore or hereafter taken by the Control Council for Germany or any central authority established by it. The initiative must be taken by the German authorities, the duty is theirs. (Incl. 3 to ref. c.).

a. Executive Functions.

The Minister President and his functional Ministers have the right to appoint all officials within the state subject to the prior approval of Military Government with respect to political reliability. This power will not, however, be allowed to interfere with the authority of representative bodies when such are chosen by elective process. Until revised Civil Service legislation is produced and put into effect, all appointments and all retentions in office are on a temporary basis. However, removals will not normally be effected except for cause.

b. Legislative Functions.

(1) Subject to the authority of Military Government each state is given full legislative, judicial and executive powers except as the exercise thereof would be in conflict with actions heretofore or hereafter taken by the Control Council for Germany or any central German authority established by it. The authority of the Landräte, mayors, and other local officials to enact legislation and exercise other governmental power to the same extent to which they had such authority under German law in force at the time of the occupation, as from time to time modified by the Control Council for Germany or by or with the approval of Military Government, is recognized and additional authority is given where necessary or appropriate to carry out the tasks with the performance of which that are charged by Military Government. (Incl. 3 to ref. c.).

(2) All legislation issued by German authorities at any level will be issued

upon their sole responsibility and no such German legislation shall contain anything which would indicate or might be construed to indicate that it was issued in the name of or having the approval of Military Government. (Incl. 1 to ref. c.).

(3) Until such time as it is possible to establish democratic institutions it is sufficient for the validity of state legislation that it be approved and promulgated by the Minister President. (Incl. 3 to ref. c.).

(4) The issuance of legislation by a Lander or its subdivisions is subject to the prior clearance of the Office of Military Government for such Land. (Incl. 1 to ref. c.).

(5) Kreis legislation need not be examined by Military Government prior to its issuance but copies will promptly be forwarded to the Office of Military Government by the local authority at the time of issuance. The repeal of any such legislation which is in conflict with the policies of Military Government will be directed. (Incl. 1 to ref. c.).

(6) All legislation will be judged on the basis of the objectives sought and not on the basis of the machinery devised for their accomplishment. Comparable legislation to be adopted by two or more states will however, so far as feasible follow a common pattern. (New.).

c. Judicial Functions.

Justice will be administered in German courts in accordance with the principles announced in Control Council Proclamation No. 3. The administration of the judicial system is under the control of the State Minister of Justice, and its organization, composition and operation is provided for by the "Plan for the Administration of Justice in the U.S. Zone." The administration is subject to the li-

mitations imposed by Military Government Law No. 2 and orders heretofore or hereafter issued by Military Government. (Incl. 1 to ref. f.).

5. INTERSTATE COORDINATION.

The division of Germany into 4 zones of occupation and the further division of the United States Zone into 3 states subject to no higher German authority creates the problem of effective coordination and control within each zone for the various special administrative services which formerly came under direct control of the central government. The various state offices require coordination with other state offices performing similar functions. This is particularly true in the field of economics, transportation, communication, etc. To meet this problem a Council of Ministers has been created and a Joint Coordinating Staff for all Länder and for the various national administrative services has been established with a Secretariat at Stuttgart. Meetings of the Council of Ministers will be held from time to time for the purposes of exchanging ideas and experiences, discussing plans for strengthening their respective government, especially in the direction of supervision over the special administrative services, and preparing a plan for the Joint Coordinating Staff to serve all state governments and all national functioning agencies. The Joint Coordinating Staff will provide the exchange of information and studies necessary to keep all aspects of German Government in the United States Zone working in union. Such staff will be composed of German functional experts in the various fields, will be small and will in no sense be considered a zone authority.

6. EXERCISE OF MILITARY GOVERNMENT AUTHORITY.

a) At the earliest possible date and not later than 31 December, 1945, Military Government authority over

German authorities will be exercised at the level of the state governments and all instructions to German authorities from Military Government authorities will be through the Minister Presidents and the functional ministers of their respective states. (Ref. b.),

(b) To complete the organization for the coordination and control within the United States Zone of the various administrative services formerly under the direct control of the German central government and now the responsibility of the 3 states, a regional government coordinating office has been established as an agency of the Deputy Military Governor. Additional purposes of the Regional Government Coordinating Office are to control and supervise the German joint coordinating Staff, to approve or disapprove the recommendations of the Joint Coordinating Staff which have been approved through normal Military channels to the U. S. Military Government personnel concerned and to insure that approved recommendations of the coordinating staff are carried out uniformly within the U. S. Zone. The Regional Military Government coordinating Staff and the relationship of the Joint Coordinating Staff and the Regional Government Coordinating Office will be the same as that of a state government to the Office of Military Government for such state. (Ref. d.).

(c) Military Government will, to the extent available, render assistance in the provision of necessary transportation and communications facilities, including the issuance of special passes to the higher German governmental officials.

II.

1. If the German Länder governments appointed by Military Government are to be successful in the administration of their respective Länder under the procedure outlined herein and in ac-

cordance with United States policy, it must be evident to all that they have the full confidence and support of Military Government.

2. It is believed that this can be attained only when our own Military Government controls are exercised through the three Minister Presidents. Within the field of Länder responsibility, it is therefore essential that at the earliest practical date and not later than 31 December 1945, orders, instructions and interpretations of policy by Military Government be issued to the German governmental machinery by the Länder Offices of Military Government through the several Minister Presidents. Such instructions should pass to the lower elements of German government through the German administrative machinery. Copies should be furnished to all of our field officers below the Länder Office of Military Government for information so that they may properly observe compliance by the Germans with such instructions. Violations of policy, however, should not be corrected through lesser German officials, except in cases of real emergency, but will be reported by our field offices to the Länder Offices of Military Government so that remedial measures may be required of the Minister Presidents.

3. Prior to elections and subsequent to elections for appointed officers, future appointments of German officials should be made by the Minister Presidents, subject of course to the approval of Military Government. Minister Presidents should also be given the right of removal except that no official appointed by Military Government should be removed except for cause and then only with the approval of Military Government.

4. A constant effort must be made to improve the transportation, com-

munication, and office facilities available to the Länder officials. Special passes should be given to the Ministers and such other key officials as appear desirable to permit their free and unrestricted passage throughout the United States Zone. They must be provided with sufficient dignity of office to impress their responsibility upon the German people.

5. In general, the instructions to Minister Presidents should be confined to the fullest extent possible to the delineation of policies and should avoid detailed instructions as to the execution of such policies. The German Länder Governments should be required to prepare and present plans for execution of policy for the approval of Military Government. The action of Military Government on such plans should be based only on the compliance of the proposed plans with United States policy and not on its views of the efficiency of the plan. The efficiency of German government is not in itself our responsibility except as a lack of efficiency interferes with the execution of approved United States policy. A highly efficient German administrative machine can not be expected until the machine has gained more experience in the administration of government.

References

a. Letter Headquarters, USFET AG 014.1 GEC-AGO, subject coordination of German Länder Governments and Special Administrative Services (Sonderverwaltungen) in the American Zone, 5 October 1945.

b. Letter Headquarters, USFET, AG 014.1 GEC-AGO, subject Reorganization of Military Government control Channels in Order to Develop German Responsibility for Self-Government, 5 October 1945.

c. Letter Headquarters, USFET, AG 014.1 GEC-AGO, subject, Administration of Military Government in the U.S. Zone in Germany, 1 October 1945, with inclosures.

d. Letter, Headquarters USFET, AG 322 GEC-AGD, subject, Regional Government Coordinating Office, 2 November 1945.

e. Letter Headquarters, USFET, AG 014.1 GEC-AGD, subject, Administration of Justice, 4 October 1945.

f. Letter Headquarters, USFET, AG 014.1 GEC-AGO, subject, Amendment to Directive "Administration of Military Government in U.S. Zone in Germany, 7 July 1945", 21 October 1945 as amended by letter, Headquarters, USFET, same subject, 25 October 1945.

Analysis of Returns of Political Activity Report

As the preceding article points out, the expansion of the activity of political parties from Kreis to Land levels comes after a period in which the parties have succeeded in becoming well grounded locally.

The Military Government Political Activity Reports are the basis for the chart on the following page, which shows that by November 1st political organizations had been formed in 45 per cent of the 224 Kreise for which reports had been received.

For the convenience of Detachment personnel responsible for their completion, the following analysis is arranged in the form and with the headings used in the Political Activity Report:

"Names and character of political organizations authorized during period under review."

Political organizations formed by November 1st fell into four main groups: Communist and Socialist on the left (including ANTIFA and other small leftist groups), and Christian and Democrat on the right (including various smaller groups). The fact that political activity is now being carried on at Kreis level throughout large sec-

tions of the Zone, and that four main groups seem to be emerging, clearly underlines the necessity for carrying political activity to the higher administrative level now authorized. The decision to permit political parties to organize up to the Land level should do much to clarify the political picture in the Zone and give added impetus to political activity.

There have been indications that in the case of the SPD and the KPD some contact has already been established between the groups in the different Kreise and at different administrative levels. Therefore, the adoption of the name SPD or KPD is more than mere historical reminiscence; it is indicative of a trend toward the organization of these two parties on a national basis.

The same cannot be said of the other parties which have been organized. There seems to be no connection whatever between the various groups calling themselves ANTIFA or using any other leftist label. These groups came into existence more or less spontaneously with the beginning of the occupation. Their members were, for the most part, formerly members

of the SPD or KPD, and as these latter parties proceed with their organization the ANTIFA groups disappear. The ANTIFA remains strong only in those communities here there is strong sentiment in favor of a united party of the left, and such sentiment exists only where Socialists and Communists are near a numerical equality, as in Bremen. Elsewhere, the numerically superior Socialists are avoiding collaboration with the Communists, without, however, going so far as to make a complete break.

There is a zone-wide, indeed a nation-wide, tendency for conservative elements to group themselves in a party with a confessional orientation or in a Liberal-Democratic party. As yet, both tendencies are very ill-defined and the local groupings are weak and chaotically organized. Only in Bavaria

does there seem to be a concerted effort to form a party of potential national significance, in the Christian Social Union or CSU. It seems to be the intention of the leaders of the CSU to enroll as members all whose political sympathies are to the right of the SPD, including former members of the Zentrum, the BVP, and various other rightist parties.

At present the activities of the CSU are confined to a few communities in Bavaria. However, there is reason to believe that it should expand rapidly, at least throughout the area formerly dominated by the BVP. Perhaps the fact that the CSU has endeavored to cover so much ground is its greatest weakness. Within the administrative directorate of the party there are factions at present in strong opposition to each other; one with leftist in-

Note: Parties have been arranged by political character, from left to right.

"ANTIFA" or other leftist anti-nazi organizations, include all those groups which were originally organized for the sole purpose of eliminating nazis and nazi influence. They are composed, for the most part, of members who belonged, before 1933, to various parties of the extreme left. In some cases they have joined the ANTIFA seeing in it a unified group which might eventually replace other leftist parties; in others, because it was at the beginning of the occupation the only political organization existing in many localities.

"KPD" The German Communist Party. The principal features of its present program are the elimination of nazis, the acceptance of war guilt, and the reconstruction of Germany along democratic lines. At present it is making a very determined effort to increase its influence by adopting the tactic of the United Front with the Socialist Party and by attempting to win over members of the middle class and farmers. The extent of its affiliation with Soviet Russia is unknown at present, although it is presumed to be close inasmuch as many of its leaders passed the war years there and were politically indoctrinated with Marxist-Leninist principles.

"SPD" The German Social Democratic Party The Social Democrats are also determinedly anti-nazi but not altogether persuaded of Germany's collective war guilt. They, too, favor radical democratization of German life during the reconstruction. They have, for the most part, opposed the Communist United Front activity, except in cases where they find themselves numerically inferior.

The Social Democratic Party has close connections with the British Labor Party and the French Socialists. Many of its pre-1933 leaders emigrated to London, Paris, and Zurich.

Christian "Social Union or Christian Democrats". This groups includes all those parties which have been influenced in the formation of their program by the former Center Catholic Party. Most of them now, although advocating Christian principles, are opposed to active participation of the clergy in political affairs. The CSU, or Christian Social Union, the dominant party in Bavarian politics, is the strongest of the groups.

"Liberal Democratic and other rightist" parties. These are, for the most part, characterized by a negative attitude. That is they are opposed to Communism and to all socialization. At present, there is no connection whatever between the various groups and all are very weakly organized.

BVP — Bavarian Peoples Party. This group is a carry-over from the pre-1933 era. It has been organized in several towns by persons who were formerly connected with it. Its program is Christian and conservative. It is felt that when the Christian Social Union is authorized to organize throughout Bavaria, it will probably absorb these groups, whose program in no way differs from that of the CSU.

POLITICAL PARTIES AUTHORIZED IN THE UNITED STATES ZONE GERMANY UP TO NOVEMBER 1ST

	Antifa or other Leftist anti-nazi organizations	KPD	SPD	Christian or Confessional	BVP	Liberal Democratic and other Rightist Movements	Total	No. of Kreise	No. of Kreise with auth. pol. org.	% of Kreise with auth. pol. org.	No. of Kreise from which reports rec'd	% of Kreise reporting with auth. pol. org.	No. of MG Detachments	MG Detachments reporting	% Detachments reporting
MAINFRANKEN		6	5	7			18	25	9	36	25	36	23	22	95
OBER- UND MITTELFANKEN	1	8	12	2		1	24	42	16	38	40	40	30	30	100
NIEDERBAYERN UND OBERPFALZ	1	2	5	1	3		12	47	7	15	44	16	42	40	95
OBERBAYERN		9	9	4	1		23	29	13	46	23	57	28	23	82
SCHWABEN		3	3	3		1	10	21	5	24	12	41	20	10	50
BAVARIA	2	28	34	17	4	2	87	164	50	30	144	35	143	125	87
WURTTENBERG	2	5	6	1		2	16	22	10	45	16	63	22	15	68
NORTH BADEN		5	6	6		2	19	13	8	61	13	61	13	13	100
NORTH BADEN-WURTTENBERG	2	10	12	7		4	35	35	18	51	29	62	35	28	80
KASSEL	1	9	10	4		3	27	18	12	66	17	70	13	13	100
HESEN	2	10	10	3		3	28	14	13	93	13	100	12	11	91
WIESBADEN		12	15	13		4	44	16	16	100	16	100	11	11	100
GREATER HESEN	3	31	35	20		10	99	48	41	85	46	89	36	35	97
BREMEN	1	4	4			3	12	5	5	100	5	100	5	5	100
U. S. ZONE	8	73	85	44	4	19	233	252	114	45	224	51	219	193	88

clinations under the leadership of Mueller, the other staunchly conservative, under Schaeffer.

Under the column "Other Rightist" parties in the table are included those groups who have ill-defined or no programs, except that they are vaguely in favor of "Reconstruction".

"Data on sponsors and leading personalities; appraisals."

The material which has been submitted in detachment reports on the personalities in the various political parties is very inadequate in most cases. This may be due to the fact that no strong personalities have as yet emerged on the political scene, excepting those who are taking part in the civil administration of the various communities, many of whom are generally known. It would appear, however, that the vast majority of political leaders have an extensive background of anti-nazi activity, and many of them have spent terms in concentration camps. Their reliability, at least where the parties of the left are concerned, is unquestionable. On the other hand, there are indications that certain rightist groups are attracting former nazi "fellow-travelers".

Within the parties themselves it is noteworthy that the great majority of Socialist leaders are men of mature years or advanced age. A recent Socialist congress in Nürnberg very much resembled a "Last Man's Club". Some younger figures are, however, beginning to emerge. Notable among these is the leader of the SPD in Offenbach. Schumacher, the recognized head of the SPD in the three Western Zones, although a pre-1933 member of the SPD, is young enough to carry on very extensive activity for the party.

In the KPD it seems to be a matter of policy to assign the younger and more energetic members to positions of leadership. The difference in this

respect between the two leftist parties is striking, although the rank and file of both are largely middle-aged workers.

"Number and character of public meetings authorized; number of attendants at each; character of speeches and any other significant developments."

There is a wide degree of variation in the U.S. Zone with respect to public meetings, both in character and attendance. A few detachments have taken a very liberal attitude in permitting party members to convene as often as was deemed necessary, both for organizational and propaganda purposes. Other detachments have adopted the practice of limiting parties to one meeting per week or per month. The number of enrolled members of the parties varies in direct proportion with the number of meetings authorized.

In some areas rallies have been held which were jointly sponsored by all anti-fascist parties. The attendance at these was, in some cases, as high as two or three thousand, but the majority of meetings have had an average attendance of around 200, and there is even some recent decline in this figure, as the newness of political activity wears away. It is to be expected that after the initial enthusiasm has disappeared public meetings will be attended only by those who are actively engaged in politics. The general public will be contacted, if at all, by handbills and other literature.

"Applications received on behalf of speakers domiciled outside the United States Zone."

No detachments have recorded receiving applications from speakers outside of the U.S. Zone. However, it is known that representatives of the Central Committee of the SPD in Berlin have travelled extensively in the

Zone and have made public or semi-public appearances. The Berlin Committee is actively engaged in organizing the Regensburg group of the SPD, and this group seems to be the only one in the U.S. Zone which does not recognize the leadership of Schumacher. A Socialist congress in Nürnberg was also addressed by a representative of the Berlin Committee, who was not altogether favorably received.

It is noteworthy that delegates from many communities in the U. S. Zone travelled to Hannover to attend the Congress of the SPD for the three Western zones.

"Estimated number of members of each political party; increase and reduction in members and apparent reasons therefor."

No exact statistics are available at present on the membership of the political parties. But it would appear that in the Western Zone the SPD is leading the field by a substantial margin, outnumbering the KPD about five to one in the smaller communities and two to one in the cities. In Bavaria it is believed that the SPD will acquire at least a plurality of the voting strength in about a dozen of the large cities, while the CSU will take the lead elsewhere. But it must be recognized in this connection that the parties of the right are still badly organized, and have made very little effort to acquire members. A display of energy on their part might very much alter the picture given above.

"Review of monthly sworn statements on funds and significant developments in this regard."

Only about a half dozen detachments have submitted figures on the financial standing of the political parties. In every case the sums reported were

insignificant, and were usually contributed by donation rather than by regularly assessed dues which have not yet been required by most parties. It is highly significant that trade unions, on the other hand, have amassed considerable sums from paid dues and initiation fees. (The Mannheim Allgemeiner Deutscher Gewerkschaftsbund has RM 183,618 in its treasury.)

"Approximate volume of political literature distributed and its general character."

Practically all towns of any size have now had posted in them the bills of different political parties, particularly the SPD and the KPD. No attempt has been made in them to set forth in detail the programs of the parties. The posters are usually confined either to the announcement of forthcoming meetings or to anti-nazi slogans and appeals to help the victims of nazism.

"Authorization refused for formation of political parties and carrying on of political activity; reasons for refusal."

Only in three or four instances has authorization for political activity been refused. Refusals were usually motivated by the fact that one or more of the personalities involved was a former member of the NSDAP.

However, it is felt that the procedure for obtaining authorization for political activity is so complicated that this in itself has acted as a deterrent. And even where all the necessary steps have been taken by the interested parties, there is often a very long delay before authorization is actually granted. In some instances six weeks or two months have elapsed between first application date and final authorization.

"Changes made in advisory groups and appointive positions in the light of observed trends in authorized political activity."

Advisory groups began to be used extensively in the Zone about the same time that political activities were first authorized. At that time the complexion of these groups was largely conservative, and did not correspond to the political trend which began to develop. Some changes were then made giving a somewhat more pinkish tinge to the advisory groups, but on the whole, it is still felt that they do not adequately represent the present known political sentiments. This feeling was expressed, in a somewhat different connection and on a higher level, by the joint letter of the KPD and the SPD addressed to Dr. Geiler in which they asserted that they were given inadequate representation in the government of Greater Hessen.

"Recommendations regarding discretionary requirement that party officers and programs be confirmed by popular elections."

Military Government detachments have made no recommendations in this regard. However, the attitudes of the parties themselves, at least of the SPD, the CSU, and the KPD are known.

The SPD is at present debating whether or not it should follow the old-line Marxist program, based on the conception of the class struggle, or adopt a now, less dogmatic program, more apt to attract the sympathies of the middle class. The Berlin committee seems to favor the former alternative, while the Western Socialists are swinging toward the latter. Both will probably go their separate ways until a representative national congress can be convened to decide the issue on the basis of the feelings of the majority of the membership.

The CSU is likewise torn in a struggle between right and left. The issue here, too, can be resolved only by a national or regional convention.

The program of the KPD will not be subject to revision by popular election.

"Extent to which political activities contribute to revival of democratic procedures."

Here again the Military Government Detachments have not committed themselves. Our only information comes from the German press and from German political leaders. Since there is very little scope at present for democratic procedures to be exercised in political activities, the question can be answered only by reference to activities of a parallel nature where such scope does exist, that is, in trade unions. Here it is notable that hundreds of elections of shop stewards have already taken place and that they have elicited from those participating great enthusiasm and much favorable comment. The election of public officials is not looked forward to with the same degree of enthusiasm, possibly because it is felt that no matter who may be elected he will still function merely as a tool of Military Government. When this negative attitude is overcome, it is to be expected that the general public will demonstrate much greater interest in politics, and that there will be a genuine revival of interest in democratic procedures.

Evidences of underground activity, political, of any kind."

It has been noted above that unauthorized contact has been established between political groups at different levels and in different zones. In addition to this type of underground activity there is very little else to

report. Insignificant groups of former nazis have occasionally met, but they seem to have no guiding plan or principle. At present they constitute an annoyance but not a menace. Anti-American activity which is being carried on at present appears to be the work of a few disgruntled individuals rather than the result of any organized political activity.

"Recommendations as to public offices which might be filled by local elections at an early date."

Practically all detachments are in agreement that the offices of Bürgermeister and city council might be filled by early popular elections. It is suggested by some that the Landrat and members of advisory council might also be elected. However, it is felt that adequate safeguards must be taken to prevent former nazis from dominating the elections. Some detachments suggest that all nazis in the mandatory removal category be disfranchized, others all nazis of whatever category.

Several detachments have pointed out that the actual incumbents in

public office will be severely handicapped when elections come because the population will hold them responsible for the hardships which they are at present suffering. It is felt that if they are put entirely at the mercy of the electorate they will be voted out of office and there will be a serious disruption of public administration as a result.

"Recommendations, suggestions and general comment."

The two problems with which the Military Government Detachments are at present most concerned are the withdrawal of Military Government functional activities and the coming elections. A majority of the detachments state that they feel Military Government should not relinquish any of its functions until after the January elections. Present office holders feel that they no longer can count on the support of Military Government and they have become very pessimistic over the outcome of the elections. They feel their chances would be much better if the public could be persuaded that they still have the support of the Military Government detachments.

DEMOCRACY

Vs the "Police State"

To the German people, the police have always represented the strong civil arm of a traditionally authoritarian state. The role and function of the German police as the executive agent of the government were that of controlling the people, not of serving them. This concept of the "police state" was both an old and accepted one in Germany, and therefore difficult for Americans, raised in a country where such a concept was unknown, to understand. It is extremely important, however, that Military Government officers recognize and comprehend the significance of this German concept. For its retention or rejection by the German people will, in a large measure, determine the corresponding failure or success of Military Government to eradicate one of the roots that nurtured the growth of nazism and militarism in Germany.

Up until the nazi reign, the powers of the German police, while extremely broad, were still defined and limited by law, the general police power being derived from the General Prussian Code of 1794. Broadly speaking, the police were authorized to take all measures for maintaining public safety and order within the framework of existing laws. Under the Weimar Republic, the democratic principle that the police would confine their duties to the maintenance of law and order was introduced, although even then the police continued to exercise special functions in the fields of public health, buildings, factory laws, etc.

While each Land maintained a strong centralized police force, usually under the Minister of Interior, no national police existed in Germany prior to

This analysis of the German concept of the "Police State" highlights the dangers of allowing it to remain and shows how USFET directives aim at smashing it.

1933. Under the Weimar Republic, national police control by the Reich was limited largely to legislative acts which placed enforcement responsibilities upon the Land police, together with such central control as was achieved through the effective system of Reich financial grants to the Länder.

With the advent of the nazis, however, a national centralized German police was established which was to provide the fullest expression to the "police state" concept. It began on January 30th, 1934, when the sovereign right to exercise police power was transferred from the Länder to the Reich. (Previously, the decree for "Protection of People and State" of February 28th, 1933 had suspended in effect all civil liberties and personal freedom). It was followed by the creation of the post of Chief of the German Police in the Reich Ministry of Interior and consequently by the centralization and control of all municipal and rural police forces and agencies within Germany. It went so far as to place fire brigades under police authority, renaming them Fire Protection Police and equipping them with firearms and military uniforms and titles.

THE NAZIS' INSTRUMENT OF TERROR

The history of the German police system under the nazi regime as a national instrument of oppression and

terror is well known. "From an agency used to 'prevent dangers to public safety and order', the nazis built an instrument to reshape the life of the German people, to intervene in all spheres of public and private endeavor, and to remodel the German citizen according to the new concepts of a 'racially super; or society'.

The Gestapo was set up in April 1933 by Göring, who was then Prime Minister of Prussia, to take over the tasks of the former Prussian Political Police. In this connection, it is an interesting point to note that the Gestapo, although its officials were usually the most loyal and able Party members that could be found and were largely drawn from the SS, did not constitute the party police. Sicherheitsdienst (the SD Security Service) of the SS was actually the party police organization.

In April 1933, the existing political police in the other Länder were, for the time being, charged with the duties of the Gestapo. Himmler, (who had been appointed chief of Political Police first in Bavaria and later in the other Länder, including Prussia), by April 1934 was in effect Chief of the Gestapo for all Germany. As a result, the Gestapo, was then in fact, if not formally, a Reich force.

When Himmler was appointed chief of the entire German police force in June of 1936, he combined the Gestapo and Reich Kriminalpolizei to form the Security Police. Heydrich was named head of the latter. Following the assassination of Heydrich, Kaltenbrunner was appointed to succeed him and became Head of the Security Police in January 1943. At that time, the Security Police became Office IV of the Head Office for the Security of the Reich.

Thus developed the notorious German police system, designed and empowered to serve faithfully the in-

terests and purpose of the nazi government. The Gestapo was given complete authority in the power of arrest and punishment. Its police power, as the expression of the nazi will, was absolute and there was no appeal to any other authority or court of justice. Thus the national centralized German police force was able to maintain in secure power the party dictatorship, even against the later opposition of powerful military and political leaders.

A HISTORY OF OPPRESSION

It was one of the chief Allied war aims that this German police system with its concept of the "police state" be smashed, its police decentralized and stripped of their wanton authority. The history of oppression has shown how the use of a centralized national police power serves as the ready instrument by which an unscrupulous administration might pervert and perpetuate its power. The lesson of the German police in that respect, as it was in the case of Italy, Japan and the police of all dictatorships, is both terrifying and significant. It explains why popular resistance, even if it had been strong in Germany, could hardly have hoped to succeed.

Accordingly, it is the policy of the United States as expressed in its directives that the centralized German police system be abolished; and instead, locally constituted police agencies be established which shall be free from command or supervision by any national authority, or any other authority outside of the governmental unit it serves. Further, that the undemocratic concept of the "police state" be outlawed; and that the recreated German police agencies be made responsible to the chief local civil official, subject to written law. Also, that such police forces operate according to the democratic principle that they are the servants of the people

and exist only for the maintenance of law and order and the safeguarding of the public safety. The interpretation of what measures constitute the maintenance of law and order and safeguarding the public safety is not for the police to decide but rather for the community as expressed in the laws of the land.

Under U.S. policy and directives, local control and responsibility for the police goes beyond that established under the Weimar Republic. It was shown that the Weimar Republic permitted financial control of the police from the Reich and Land-controlled police within the Länder. Also, the rural Gendarmerie, as well as the police in many important cities, were Land-controlled. This strong Land centralization assumed great significance both as a device for dominating the people, as seen in Prussia, and later for facilitating the shift of the police control-apex from the Länder to the Reich.

To prevent the use of the police as an instrument of oppression without responsibility to and control by the people it should serve, the U.S. program provides for specific safeguards. Thus it abolished secret police agencies like the Gestapo. It frees the local police department from command by any authority, national or state, outside the unit of local government which it serves. It makes the appropriate local officials completely responsible for all police matters, from budgeting to recruitment of personnel, under the supervision of Military Government. The formation of separate criminal or security police agencies is also prohibited. Under the former German police system, the criminal police became an independent, powerful force which later was used as an adjunct to the Gestapo. Such criminal investigation units that are or may be set up will be part of the regular municipal or

The U.S. program provides that the police are responsible to the chief local civil official. ?

rural police department, subordinate to the force it serves.

In each municipality, the local mayor is charged with responsibility and duty of providing for a unified police department headed by a chief responsible to him. Only in the special case of the frontier control will police responsibility and control of the police be vested in the Minister of Interior of each Land.

Under the former German police system, many governmental controls, which in the United States are normally performed by governmental agencies concerned (i. e. health, buildings, food inspection, etc.), were performed instead by the Administrative Police (Verwaltungspolizei). This practice served to centralize further under the German police all regulatory power of government over the civilian populace. This excess of regulatory power is considered very undesirable, and U. S. policy calls for the transfer of all such functions not of a proper police nature to those governmental agencies to whom they more appropriately and safely belong.*

MILITARY CHARACTERISTIC OF OLD SYSTEM

At the end of the last war, German militarists were quick to utilize the German police as a cadre for a future German Army. Accordingly, the German police were modelled into a military organization, given military training and equipped with many basic military weapons. In order to prevent their use again as a cloak for train-

*Section VIII, Part 2, Paragraph 4 of the July 7th Directive.

ing and building up a German Army, the use of all military titles, insignia, uniforms and saluting are expressly forbidden. Military formations and drills are likewise outlawed and no firearms except those of a non-German and non-automatic manufacture will be authorized. In addition, reserves and police auxiliaries are prohibited, although special police guards may be authorized by Military Government to protect special installations such as fuel dumps and warehouses. Such guards will be selected, trained and subject to discipline by the local police chief, but they will not enjoy the civil service privileges of the regular police.

The United States has a democratic tradition and an established police system which reject any concept or use of the civil police for the regulation of the populace beyond that necessary for the maintenance and preservation of law and order. The idea of a police force used to execute the policies or selfish purposes of any political party or tyrannical administration is abhorrent to the American people and would not be tolerated. In Germany, however, there has been no such tradition of liberty, no such concept of individual freedom from the control of a "police state." The German police have always tended to regulate and control every form of human behavior and to take such

police measures as they deemed expedient.

It is not difficult to see, therefore, that under such conditions it would be possible for a new form of nazism and militarism to rise to power, employing the German police to execute their despotic orders and suppress any opposition that might arise. Nor would it be difficult for the German police to revert quickly to their old familiar role and practices. That is why it is so important that the system and authorizing power that facilitated such abuse of police power be thoroughly eradicated. That is why secret and political police agencies have been abolished, the reason behind the decentralization of the German police, and the establishment of locally constituted police departments free from higher governmental authority.

It is the responsibility of Military Government, and more specifically, of Public Safety officers to make certain that U. S. policy and directives in this respect are carried out and that constant and continuing enforcement be maintained to insure compliance on the part of the German civil administration. Upon the success or failure of such officers to do so will depend largely the success or failure of Military Government to inculcate in the Germans the understanding of and desire for individual liberty and freedom in which lie the salvation of a democratic-minded Germany.

The JUBILÄUMSBAU at MARBURG

Publicly-owned treasures of art hold something of the same importance in European minds that the flag or the Declaration of Independence have for Americans, in that they are symbols of national integrity and dignity. To be able to see them again will help to convince the German visitor that his country can some day recover its former standing as a leader in scholarship and appreciation of the beautiful.

In this building, the Art Institute of Marburg University, is now housed the first important exhibition of masterpieces of paintings belonging to this country to be opened in Germany since the end of the war. Marburg is a collecting point for works of art removed from insecure repositories by the Monument, Fine Arts and Archives organization of the U. S. Military Government. The pictures now on view include possessions of incalculable value from the Rhineland and Berlin district museums, hastily evacuated by their owners to mines at Siegen and Bernterode. The collective value of the art assembled at Marburg cannot be estimated, since the experts say that if it were all put up for sale at one time it would break the art market.

Some of the paintings have suffered grievously from adverse atmospheric conditions in the mines. The celebrated Van Gogh portrait of Armand Rollin was removed, just in time, in an almost unrecognizable condition. Expert care has restored the painting to its

original beauty. This work, with many other equally well-known nineteenth century paintings, as well as the glorious Watteau "L'Enseigne de Guersaint" (the shop-sign of the art dealer Guersaint) and other old masters including Boucher, Chardin and Cranach, are now being admired by both military personnel and civilians. The exhibition has been received with great enthusiasm by Americans and Germans alike and serves to emphasize one purpose of Military Government — the preservation of the valuable elements in German culture.

The Art Institute of Marburg is known as the "Jubiläumsbau", the Jubilee Building, because it was opened in July, 1927 when the university celebrated its 400th anniversary. It housed both the collections of the university and the lecture and concert halls, study rooms and offices of the departments and faculty members concerned with the arts and archeology. The Institute was conceived both as a tool for teaching and as a source of enjoyment to the general public. In this respect, it resembles such American university institutions as the Fogg Art Museum at Harvard, to which, indeed, it is sometimes compared in other respects by visitors familiar with Cambridge, Mass.

One point of similarity, in spirit if not in actual style, is its quiet and dignified appearance, in harmony with its surroundings but not slavishly imitative of other buildings in the ancient



university. The Jubiläumsbau is, therefore, the more markedly original and is an unusual example of post-war, pre-Hitler buildings. It is neither in the uncompromisingly modern style (developed in Germany after the last war by a group of architects who are now mostly in various institutions in the United States — the “Bauhaus”

group, which in turn was originally inspired by Frank Lloyd Wright) nor in the savage, spiritually proto-nazi style of the post-war administration building of I. G. Farben at Höchst. The Jubiläumsbau seems the product of a rather timid good taste, comparable to the town hall buildings at Stockholm. The nazi architects, des-

pising the real originality of the Bauhaus, over-developed its studied simplicity and, by making it blatant and grandiose, created such bleak and meaningless mausoleums as the Führerbau at Munich.

The fact that war punctuates history is nowhere more clearly shown than in the great cultural void which arose in Germany with its collapse last May. Twelve years of national socialism and six years of war have wreaked such havoc in this country that it is im-

possible for the Germans to fill, in a day or a year, this void; and it will take some time for the German people to acquire a focus in retrospect which will enable them to see what is left on which to build. By the work of ICD and by such exhibits as this, pioneering for a revival of the finest in the German cultural tradition, the Germans may come to know what the peoples of the world hope and expect to be the basis for the future contributions of Germany to human society.

Transportation Responsibility

Switches to Germans

The responsibility for effecting rail and inland waterway transportation movements in Germany after January 1st will be turned over to the German government officials and transportation agencies, it has been announced by USFET.

The supervision of the German transportation system will be assumed by the Director, Office of Military Government, U. S. Zone.

The Minister Presidents, together with the civil transportation agencies, will be required to establish the necessary organization and procedures for the programming of civil movements as well as the movement of military personnel, supplies, commodities and other military traffic ordered by the Theater Chief of Transportation. The following priority basis has been set up:

First: The movement of U. S. military personnel and supplies and commodities and equipment required in the support of U. S. Occupational Forces in Europe.

Minister Presidents and civil agencies will be charged with programming both military and civil movements under supervision of O. M. G. effective January 2nd.

Second: The movement of other personnel, commodities, supplies and equipment of direct interest to the United States or Allied governments, including, but not limited to, displaced persons, commodities or equipment for reparations, exports to pay for essential imports and shipment through the U. S. Zone of personnel, supplies and equipment for Allied governments. When specifically approved by the Director of the Office of Military Government, movements of second priority also will include programmed or emergency movements of food, coal and other essential items for civilian use.

Third: Such authorized transportation facilities as may be available after

the requirements of priorities 1 and 2 have been met in full will be available to the German authorities in meeting the essential needs of the German economy.

Soviet Repatriation

An instruction prohibiting employment by Germans, public or private, of any Soviet citizens subject to repatriation under the Yalta Agreement has been issued by USFET.

The Letter directs that Oberbürgermeister and Landräte be advised that only those persons who were physically present in and citizens of the Soviet Union on September 1st, 1939, and who were displaced from or left the USSR on or after June 22nd, 1941, are to be considered Soviet citizens subject to repatriation under the terms agreed upon at Yalta.

Such Soviet citizens will be collected and transferred to camps operated under Soviet administration. All Soviet citizens falling in this category also will be transferred from camps administered by UNNRA. The use of troops to enforce such collection and transfer is not authorized, but no Soviet citizen subject to repatriation under the Yalta Agreement will be provided for after December 1st in any displaced persons camp except those under Soviet administration.

Soviet repatriation representatives claim to have uncovered 18,919 persons in the Eastern Military District and 2,707 in the Western Military District who are subject to repatriation under the Yalta Agreement but are employed by Germans in factories and on farms.

Uniforms for Interpreters

A USFET letter authorizes all military intelligence personnel used as interrogators and interpreters to wear a uniform, designating no rank, while

engaged in interrogative or investigative missions when the situation necessitates.

The metallic U. S. insignia will be worn on the upper lapels of the jacket, field, wool and on both sides of the shirt collar when the shirt, wool, OD is worn as an outer garment. Similarly, civilian clothing may be worn by such personnel where the particular mission makes such clothing desirable.

Commanders will not authorize enlisted personnel to wear the above uniform habitually, but only when such personnel are employed on these special missions.

Ration Scales

Ration scales for the 83rd rationing period in the U. S. Zone of Germany, excluding Bremen Port Command and the U.S. Sector of Berlin, will be the same as those prescribed for the 82nd rationing period, it has been announced at USFET.

The 93rd period will commence December 10th.

Deviations from the rations established for the 83rd period will not be made without prior authorization from USFET Headquarters.

Law 8 Interpretation

The following interpretation of Law No. 8 has been released by the Legal Branch of the Office of Military Government, U.S. Zone:

"The question has been raised whether or not an employee of a business enterprise, occupying a supervisory or managerial position and who in compliance with Law No. 8 is reduced to a position of ordinary labor, is 'removed' from office so that his property is blocked under the provisions of Military Government Law No. 52 and Par. 45 of General Order No. 1 under that law. The reduction will be held to constitute a removal having that effect."



Apprehension of

German Suspects

The use of diplomacy, rather than strong-arm methods or a display of force, is recommended by Det. I-330, LK Alzenau, for rounding up German suspects wanted for interrogation and possible arrest.

Initially, an officer from the Detachment detailed to apprehend an individual set out with an MP in a jeep, leaning heavily on the horn and acting very much the soldier. By the time they arrived at their destination however, the hunted man had usually left.

A later method adopted was for a Military Government officer to go out in a vehicle without the MP and bring in the suspect. This showed better results and was continued until the services of the German police would be utilized.

With no gasoline at his disposition, the German policeman ordered to bring in a given individual for questioning resorted to the postal system. He dispatched postcards to those he wanted to see, asking them to be at the Detachment office at a specified time. The system has proven highly successful, and to date no one has resisted a written 'invitation' to put in a appearance on a given date!

HELP FOR MINES

A check of German POWs, who were formerly miners, on their return to civilian life is looked upon in Bavaria as a means of increasing the labor pool in the mines.

Det I-330, LK Alzenau, finds that diplomacy rather than strong-arm methods is preferred in rounding up Germans wanted for questioning.

The Regional Mining Authority has submitted a list of former German coal miners who now are reported to be in POW enclosures. Although a survey of this kind was made three months ago, it is believed that, by having the proper agency check the return of the men to civilian status, many can be diverted to their former place of employment. The return of these experienced miners to the deep shaft mines would have a favorable effect on coal production.

ARMING OF POLICE

The arming of individual police in North Baden has resulted in a crime decrease, according to reports from Military Government offices in that area. Statistics indicate a crime incidence comparable to former figures.

Two hundred sticks recently were issued to the police of SK-LK Karlsruhe. These were manufactured in the Bruchsal Prison shops by the inmates, and it is planned to have each policeman in North Baden equipped by the end of the year.

A safety program also has been inaugurated in North Baden with satisfactory results. Numerous arrests and convictions of pedestrians and

drivers charged with traffic violations have taken place.

WELFARE FUND SUPPLEMENTED

The public welfare fund in LK Feuchtwangen is being supplemented with a share of the proceeds from the recently-opened cinema there. This added source of income has proven of great assistance in meeting Feuchtwangen's heavy public welfare expenses.

The movie theater, incidentally, is the first to be operated in LK Feuchtwangen in its over 300 years of existence.

M. G. MISSIONARY WORK

The five officers of Det. H-288, LK Pfaffenhofen, gave a series of talks on the mission and work of Military Government to the enlisted men of the 1st Bn., 60th Inf., on five successive nights recently. It is felt by the detachment that a much better relationship between the troops the populace and Military Government will be attained through this means.

DEALING WITH SPEEDSTERS

A novel plan for dealing with speed violators on the Autobahn is reported by Det. H-288, LK Pfaffenhofen.

An excessive number of people have been arrested for speeding on the Autobahn there, and a policy has been inaugurated of permitting offenders to make contributions to the Bavarian Red Cross in lieu of being tried in Summary Court.

UNEMPLOYED CLEAN UP CITY

The Public Health Department held a "clean-up" day in SK Weiden re-

cently, at which time all unemployed men and women between the ages of 16 and 45 turned out to clean up the city.

A special effort was made to clean out the many small streams, and it is felt that a great improvement has been made in the area's general sanitary conditions.

POLICE COOPERATION

The close cooperation of the rural police of two Landkreise recently resulted in the apprehension of a quartet of robbers and showed what can be accomplished when neighboring police units work together.

Following a series of robberies in LK Illertissen, located immediately to the south of LK Neu Ulm, rural police in the former notified the New Ulm rural police of the crimes and that the robbers had escaped in a northerly direction.

The rural police in LK Neu Ulm immediately set up a road block to check all persons entering the area. When one truck was stopped at the check point, three of the vehicle's occupants fled and another surrendered. The rural police gave chase and notified the Kreis' municipal police of the situation.

The robbers fired some fifteen shots at their pursuers in an effort to prevent capture. The police, instructed not to shoot except in self defense, then returned the fire, wounding one man and causing the surrender of a second. The third was captured by Neu Ulm Municipal police in Iller Forest near the city.

German Political Leaders on

Denazification



The first and most urgent appeal made by the Germans to the occupying armies, long before V-E day, was the cry for differentiation between Germans and Germans. The small number of genuine anti-nazis and the legion of those who because of political misconceptions or partial amnesia believed themselves entitled to this attribute, expressed hope that the occupation authorities would establish a demarkation line based on political considerations, and accord the two groups thus established fundamentally different treatment. When the occupation authorities began to act in this direction, however, by embarking upon a program of denazification, the cry was narrowed to an appeal for differentiation between nazis and nazis. The occupation authorities, themselves aware of this need, took the first step in this direction by issuing the directive which distinguished between those Party members who had joined before May 1st, 1937 and those who had joined after that date. This provision, however, failed to bring satisfaction. Germans of all political creeds considered the dateline as arbitrary and argued, in addition, that many who had joined before 1937 had been ignorant or idealistic while most of those who joined after 1937 were opportunists who knew what they were getting into. Who, then, was a nazi and should be eliminated? Representatives of all social and political groups agreed more or less that the terms nazi and party

The material here presented was originally published in Information Control Intelligence Summary (ICIS). It is believed that it represents the most comprehensive and representative summation of German reaction to denazification that has appeared to date.

member were not synonymous; that justice could be done only by special consideration of each individual case, and that only Germans, under the supervision of Americans, were qualified to weigh the evidence and pass judgement. Law No. 8 was the first edict embodying all these requirements: Providing a chance to the non-activists to clear themselves, it offered redemption to the nazis who had not been nazis at heart; and providing for German composed committees and appeal boards, it gave the Germans a chance to judge their own fellows.

On the assumption that city mayors and political leaders well acquainted with the practical problems of the day and sensitive to the currents of public opinion, would be able to summarize the merits and probable effects of the new law. ICD investigators interviewed nine mayors and 24 political leaders in seventeen cities and towns in the Eastern and Western Military Districts. Of the mayors, four were SPD men, two belonged to the Christian Social Union, one was a

member of the Liberal Democratic Party and two were without party affiliations. Of the political leaders, 14 were Communists, eight were Social Democrats and two were representatives of the Christian Social Union. Investigators were instructed to select a high percentage of leftists because they have always been in favor of strong denazification, and, it was felt that their reactions to the intensification of the policy would be of particular interest. The 33 political leaders were asked to express their views on Law No. 8 and to summarize the effects of denazification to date.

PRESENT STATE OF DENAZIFICATION

All respondents agreed with the basic principle of denazification. Without exception, they were convinced that the elimination of nazis and nazi influence was one of the prerequisites of political and economic reconstruction.

The first and foremost yardstick for measuring a man's share in nazism-membership in the NSDAP or one of its affiliate organizations — was rejected as a reliable indicator by all of the respondents except two Communists. Grünwald, KPD leader for the Kreis Obertaunus, stated that with the exception of about 10 per cent, all former Party Members could safely be considered nazis, and Böning, KPD leader in Heidelberg and former KZ inmate, declared outright that party membership was the true index of nazism. "All who joined the party", said Böning, "no matter what their particular reason may have been, knew about the race theory, the persecutions, the claim for Lebensraum and the personal ambitions of the Führer, all of which meant war." The 1937 dividing line was rejected by all. Instead, there was general agreement among the

interviewees, as among Germans at large (see above) that each case should be judged by its individual merits. Some Communists stressed that special consideration should be given to age; that young people should more readily be given a chance to redeem themselves than older people.

RESULTS OBTAINED

Administration. About half of the respondents in the Western District felt that denazification of administration had been adequate, if not even too severe. Some Communist leaders, however, adhered to a different view. Bock of Heidelberg claimed that mayors were frequently using the excuse of indispensability to protect friends and termed the "dilly-dally attitude of mayors in regard to denazification of bigshots" a passive protest against, if not a sabotage of Allied aims. Communist leader Rost of Offenburg also insisted that several politically most objectionable people were still in important government jobs. Schiefer, SPD leader of Munich, said that it would take him more than a day to make up a list of nazis still in their city government.

Business and Industry. There was overwhelming agreement among the respondents in both districts that business and industry had by no means been cleared of nazis. The few dissenters from this view were an SPD leader for the Kreis Obertaunus, the chairman of the Christian Democratic Party for the Kreis Oberursel, and Scharnagl and Müller, CSU leaders in Munich. Some respondents did not commit themselves on this point; others who were critical felt that progress would soon be made.

The Church. The Church, almost all observers felt, was adequately denazi-

fied, and the few who were somewhat skeptical expressed disbelief that cleansing measures would be taken. Of whatever little criticism there was of nazi influence in the church, the larger part fell on the Protestant Church. Friederich, KPD leader in Hof, named a specific example of a Protestant minister who had not been discharged.

ADVERSE EFFECTS

Inefficiency. The Communists concurred with official US policy and insisted that non-political questions, such as indispensability in essential services, should not even be taken into consideration in the political cleansing process, and in general, doubted the validity of the argument that inefficiency was caused by denazification. The mayors, however, complained that inefficiency was the result of denazification. Braun of Mannheim went so far as to state that dismissals had reached a point where he could not carry on the administration of the city. Treu of Nürnberg made an additional point in this connection: While denazification crippled his administration, Law No. 8, he claimed, made it difficult for him to find replacements since young people with the formal education required had almost certainly belonged to the NS Students League. It was noteworthy, however, that none of the mayors who complained that denazification had caused inefficiency, pleaded for the retention of genuine nazis on the grounds of straight expediency. Rather, they complained that their administration was hamstrung by the dismissal for technical reasons of those whom they considered worthy of their trust.

Injustice. Many of the respondents, mayors and political leaders alike, stressed the "injustices" that had resulted from denazification. Braun of

Mannheim, in a letter to MG, stated in this connection: "The population can endure misery, but it will not endure injustice." Klett of Stuttgart stated that "some cases of dismissal are such a gross injustice that I, an anti-nazi of twelve years standing, find myself compelled to jump to the defense of nazis." Such statements from mayors and political leaders were frequent.

Question of Democratic Procedure.

In criticism voiced by mayors and the more conservative political leaders, the word "undemocratic" cropped up frequently. The word did not carry the same connotation with all. Some seemed to feel that to be democratic meant to be lenient and to forgive and forget. Treu of Nürnberg said: "Ninety per cent of Nürnberg's inhabitants welcomed the Americans as liberators after twelve years of Hitler oppression... The denazification is the only thing which has made the people feel disillusioned about democracy..." Others, however, saw the undemocratic qualities of the denazification measures in the categorizing of individuals.

Social and Economic Dislocation.

Most mayors believed that the denazification would have rather serious social consequences. Veit of Karlsruhe claimed that 22,000 dependents would have to suffer the consequences of unemployment if the city administration were two-thirds denazified; denazification would thus contribute to the economic dislocation. Braun of Mannheim stated that he spent many sleepless nights worrying about the families who had lost their daily bread through denazification. Mayor Klett of Stuttgart used an emergency appeal (submitted to him in the presence of an interrogator) to permit a "denazified" doctor to perform a delivery, to

point out to other social dislocations caused by the cleansing process. The fact that dismisseees were not necessarily breadless but in a position to take on a variety of jobs was not considered by the bürgermeister. A few also pointed out that denazification had had an adverse effect upon economy where owners of businesses, who were themselves free of the nazi taint, hesitated to resume operations for fear of insurmountable personal problems.

PUBLIC SUPPORT

The respondents estimated that about 50 per cent of the public supported the denazification policy. Walz of Heidelberg stated that in his opinion 70 per cent favored denazification in general, but that only 20 per cent favored it as it was being carried out at the moment. Kauper of Bayreuth believed that most people had favored the idea but that "far reaching injustices" had recently made them antagonistic. Leftist political leaders were somewhat more conservative in their estimates as to how many people favored denazification. In answer to the question who the principal supporters of denazification were, the conservatives tended to express themselves in terms of a political division, naming the leftists as the principal supporters; while the leftists tended more toward a class division, naming the workers, aided by a small group of genuine anti-nazi intellectuals. A lone dissenter with this opinion was Rausch, chairman of the SPD in the Kreis Obertaunus, who asserted that "all fanatics" support the American denazification policy, while "all quieter and more humane people are against it." He thought, nevertheless, that half of the people supported it. Rost, secretary of the Communist Party at Offenbach, ventured the opinion that all workers, except those personally affected, supported denazification. Drott, SPD offi-

cial in Offenbach, stated that businessmen were "definitely not interested" in denazification.

CRITICISMS AND SUGGESTIONS

The general criticism most frequently heard from mayors and political leaders was that "the big shots," all in all, were not sufficiently affected and the small fry had to bear the brunt of the measures. The most common suggestion was that a time limit should be set for the condemnation of those found nazi, in order to deprive them of the psychological basis for uniting in anti-social gangs or organizations. A unique suggestion was made by a Communist leader who pointed out that the nationalization of various industries would greatly simplify denazification, as it would deprive nazis automatically of their positions of power and influence.

RESULTS OF DENAZIFICATION

Most mayors, like most other Germans, voiced the fear that the dismissed would become radical and, in protest against the society that was rejecting them, join the Communists. This claim, which has also been made extensively by the rank and file nazis in their whispering propaganda designed to frighten bourgeois circles into desisting from denazification, was supported by the additional contention that a good many Communist workers had changed over to national socialism after 1933 and would, therefore, be just as apt to change back. Most of the Communist leaders, however, did not share this view. Some, Like Grünwald, KPD leader for the Kreis Obertaunus, pointed out that the KPD would not even admit the denazified, at least not for several years, while others stated that former Party Members would not join the KPD even if they could. This view was summed up by Bock, Communist member of the Landregierung

Baden and a shrewd political observer, with the statement that "as-a predominantly bourgeois class they (the denazified) cannot give their vote to a party which they consider a menace to their way of life." In all, there were many stray opinions on the subject as to who would benefit politically from the dismissal of nazis. Some thought that they would join, or form, a new radical party of the right; others thought that they would split, the workers turning to the KPD and the bourgeois elements to the bourgeois parties. Others again believed that, having belonged to a radical party, the party member would now calm down and join a middle of the road political organization. A few thought that denazification would act as a brake to political life in general, people being afraid to identify themselves with any party after having seen what happened to members of the nazi party.

A propaganda-minded Communist stated that the leftist trend in the coming elections would have been more pronounced if there had been no denazification since the Communists have now been deprived of the powerful argument: "Look, this or that nazi is still continuing in his powerful position." In general, no definite trend emerged from the answers except that those who predicted that dismissed nazis would turn Communist expected that denazification would result in considerable Communist gains at the elections if party members were permitted to vote.

THE POLITICAL FATE OF THE DISMISSEES

The question as to whether those who had been nazis should be permitted to vote in the coming elections was unanimously answered with a stern "No" by all respondents in both districts, with the exception of the two Christian Social Union Leaders.

The remarkable point about this complete agreement was, however, that the verdict denying the former party members voting rights was arrived at by the different groups as a result of diametrically opposed reasoning and motives. The conservatives felt that voting rights should be withheld from the former nazis because they would vote Communist; while the leftists wanted to refuse them the right to vote because, in their opinion, the party members would vote for the most rightist and reactionary party on the ticket. Although almost all respondents wanted to keep the denazified from voting, none wanted to disenfranchise them for good. Time limitations suggested ranged from one to five years.

The doors of the political parties will be closed to the activists, according to the statements of the majority of those interviewed.

LAW NO. 8

With the exception of the Christian Social Union representation in Munich, all respondents expressed a favorable view of Law No. 8 in general. The main grounds on which the decree was favored were: (a) that it extended denazification to a field hitherto untouched, thus making denazification complete in scope (although excepting the church, as some pointed out, particularly the protestant church); and (b) that it is a definite improvement in the methods of denazification because it corrects two previous weaknesses — rigidity of application without consideration of individual circumstances and lack of German participation in the denazification process. Commenting on the latter feature, Hülsenbeck, KPD spokesman of Stuttgart, Director of the Labor Office, said:

"By giving Germans a share in the denazification, the Americans have restored to the Germans the faith in themselves which they had lost."

Bock, KPD member of the Baden Landregierung, believed that "this law shows that the Americans have learned from past mistakes. It should have been law No. 1."

The general agreement on the desirability of the law, however, was obviously not the result of similar opinions among the more conservative Bürgermeister and the more radical politicians. The point at issue, of course, was **which** Germans would do the denazifying. Respondents split on the question of who should compose the German committees. The conservatives were in favor of keeping party representatives out and putting "reliable, respected professional people" on the committees. The Communists, however, felt that all parties should be represented in addition to the professional people. Trade Union representatives on the committees were favored by all respondents. It was certain that those who considered denazification too harsh and indiscriminate hoped that with jurisdiction partly in German hands the cleansing process would become milder, while those who were impatient with denazification and considered it inadequate, hoped that the process of elimination would become more rigorous as well as more just — and both sides realized that whether their hopes would be fulfilled depended largely on which Germans would be selected for the job.

There was hardly any negative criticism of the law itself. A technical objection was raised by Klett of Stuttgart who stated that with the burden of proof resting on the defendant, many defendants who had to prove that they had not been activists would find themselves in a difficult position since it is hard to furnish such negative proof.

POLITICAL REACTION TO LAW. NO. 8

Most of the respondents believed that the law had popular support. This view, however, was in sharp contrast to findings by 6891st District Information Services Control Command in an investigation of general population reactions in the Western District, and in opposition to other intelligence from various sources. Interogees, nazis and non-nazis, have condemned the law as unjust and designed to cripple German industry. In view of the fact that these investigations were made soon after the promulgation of the law, it may tentatively be assumed that many Germans reacted so unfavorably because they had not properly understood the law. It seems that they had not yet been informed of the provision of appeal and, in addition, did not realize that the law differentiated between nominal nazis and activists.

In all, it may be said that despite the initial, unfavorable reception based, no doubt, on inadequate knowledge, the spirit of Law No. 8 comes closest of all laws issued so far to the spirit of those Germans who on the strength of their past experience and present outlook may be regarded as the nucleus of constructive and democratic forces in post-Hitler Germany. Its differentiation between must-nazis and activists and its provision for German judges correct the faults which, according to intelligence sources, German anti-nazis considered the most serious in the denazification program. Random investigations of some of those who will be affected by the law, conducted by 6871st District Information Services Control Command, revealed, however, that party members still feel that they are being wronged at every turn since they consider themselves in no way guilty of any crime.



WAR TRIALS

Seen as Historic Landmark

With commentators stressing their significance as a historic landmark in the avoidance of future periodic wars and as an important step in the re-education of the German people, the Nürnberg trials continued to command wide interest during the week. Proceedings were well covered by press and radio, and the trials provided the topic for many editorials.

Comment on the military occupation of Germany emphasized the difficulties of the Army's task, due to such factors as rapid redeployment, and differences in policy between the various zones. Plans for replacing Military Government by civilian authority were generally welcomed as a logical move in the discharge of our post-war responsibilities.

In his opening statement at Nürnberg, said The Washington Post, Justice Jackson "did much to demolish whatever lingering doubts that remained in the mind of reasonable men regarding the trial of the nazi leaders. Beyond punishment of the defendants now before the bar of justice, Justice Jackson saw a far greater purpose in the trial, a purpose which may make the proceedings at Nürnberg a landmark in history. 'The ultimate step in avoiding periodic wars', he explained, 'is to make statesmen responsible to law'. The manner in which the trial is being conducted, the elevated attitude of Justice Jackson himself, the determination with which all the officials concerned are going ahead with their

appointed task, all give the hope that Nürnberg may be a long step in the achievement of that aim".

In a dispatch to The New York Herald-Tribune, William L. Shirer expressed the view that the trials may prove to be "the first great step in the re-education of the German people". A more critical note was sounded by Victor Bernstein, correspondent of PM, who declared that "as a propaganda weapon against nazism and for democracy, this trial is already largely a flop. The one group of people in the world who have most to learn from this trial and for whom it ought to mean the most are getting the least amount of information about it. I refer to the German people themselves. Of more than a score of licensed German newspapers in the American Zone, only five have been permitted to send reporters to the trial".

In an article in The London Spectator, Norman Bentwich pointed out that the trials are not "simply or purely a judicial process, but also an international Act of State. They are designed to demonstrate the application of the moral law to international relations . . . And in this supreme case, creating a new criminal responsibility and a new jurisdiction, the voice of humanity can be heard as well as the voice of the statesmen and the jurists".

While comment of occupation policies continued to show a critical trend, Anne O'Hare McCormick in

The New York Times pointed out that the office of Military Government, U.S. Zone, "is charged with an assignment infinitely harder than any military mission. It is striving — for the most part with scrupulous fidelity to the Potsdam Law, which is the Bible in the American Zone — to do something without precedent in history. Under the most adverse circumstances in an atmosphere of incredible hopelessness, it is trying to change the mind and transform the economic structure of a great nation".

According to The Washington Star, "the basic cause of the troubles which have arisen is the unanimity principle adopted for the Allied Control Council set up to administer Germany". Another newspaper, The Newark News, asserted that "lack of a definite policy is hampering the restorative work of our occupation army in Germany. How can officers and men, charged with enforcing the American program, persuade anti-nazi Germans to accept positions of leadership when the support on which they lean so heavily may abruptly be withdrawn? The rapid demobilization of our forces is largely due to political pressures. There is from families of men who have long overseas duty and from the men themselves a compelling and an understandable demand for quick return".

Military Government policy-making executives in the U. S. Zone "are in a state of uneasiness bordering on fright", declared Edd Johnson in a dispatch to The Chicago Sun. "They are uneasy about the German population. They are uneasy about our relations with the Allies. But more than anything else, they are uneasy about what you people at home will say about the job they are doing".

If the occupation is to be a long one, said The Springfield Union, "it becomes increasingly evident that the

military force we maintain in Germany should be composed of men who are interested in that kind of work and express a specific desire to remain abroad. . . . It is clearly the job of the War Department to build up an occupation force of high caliber with such men".

Occupation Alternative

Citing history to prove that military occupation cannot succeed, an anonymous member of the RAF, in an article in the November issue of Harper's, presented an alternative to the maintenance of large military forces in the U. S. and British Zones of Germany. Following total disarmament, decision by a commission of experts as to what industries Germany is immediately and permanently to forego, and the establishment of a system at the frontiers for the control of German exports and imports, the Harper's article proposed the organization of a mobile task force, made up of highly trained personnel, with the right of entry into laboratories, factories, warehouses and similar installations in Germany.

Back of this, under the proposal, would be a powerful force, stationed outside Germany, on the frontiers of Holland, Belgium, Denmark and France. This military organization would be "the fastest force the world has ever seen", and from time to time units of this force would demonstrate its strength to the Germans by rapidly "driving through their country and out again".

"Let us make no mistake in thinking that we can occupy a country and disclaim responsibility for its condition," the Harper's article warned. "However much the British and American Governments may protest that they have delegated responsibility to the Germans, the armies of occupation are the ultimate power and nothing would

persuade the Germans that the power does not entail ultimate responsibility. And although we shall get little credit for any recovery in Germany, we shall certainly not avoid the blame for the failures that are inevitable and for the suffering that they will bring. The Weimer Republic took over an inheritance of disaster last time. The American and British armies are accepting an inheritance 50 times as terrible".

Military occupation, the article said, though it "may castigate the vanquished, degrades the victor", while sabotage and "dirty underground tricks" tend to undermine the morale of the occupying forces. Unless a substitute for large military garrisons is adopted, it warned, "the subtle, sentimental appeal of the Germans, together with the easy-going nature of our people and the natural disinclination of any decent man to stay where he isn't wanted, will make the occupation a failure and the peace a shorter one than last time".

German Arrogance

Correspondents in the U. S. Zone have recently directed attention to a resurgence of arrogance among the German civilian population. Seymour Freidin, in an article in The New York Herald-Tribune, for example, stated that "there are unmistakable signs that a considerable portion of the German civilian population has regained some of its propagandized arrogance and superiority it manifested toward other peoples before the fall of the Reich".

Another correspondent, Edward P. Morgan of The Chicago Daily News, writing from Berlin, stated that reports from scattered parts of the American Zone "show a noticeable change from the docility among the civilians which prevailed during the summer to a surlier, bolder attitude".

Drew Middleton of The New York Times also found evidence of a similar trend "The German attitude toward the American occupation forces has swung from apathy and surface friendliness to active dislike", he said in a recent despatch. "According to an American Military Government official, this is finding expression in the organization of numerous local anti-American organizations throughout the Zone and in a rapid increase in the number of attacks on American soldiers".

Change in Command

Generals George C. Marshall and Dwight D. Eisenhower received high praise from the nation's press for their wartime achievements following the announcement in Washington that the latter has been nominated for Chief of Staff.

The Philadelphia Inquirer said, in congratulating General Eisenhower on his appointment, that "no man in our memory has better deserved the honor". Another typical comment was that of Walter Winchell, who praised Eisenhower "as a humanitarian who knows what the war was fought for and is battling to hold our precarious peace".

The job of Gen. Joseph T. McNarney, new Theater Commander and member of the Control Council, "involves issues of major and delicate importance", declared Bill Costello of CBS in a recent broadcast. "The fact is the Berlin Control Council has become the focal point for a see-saw game of power politics which may determine the future stability of the European Continent".

Random Comments

"Reports of delays, waste and inefficiency by UNNRA and of misuse of this agency for political purposes point to situations that should be cor-

rected promptly, but do not lessen the need for relief and rehabilitation. As Herbert H. Lehman, Director General of UNNRA, pointed out in a recent address, the longer it takes the liberated areas to recover from the effects of war, the more it will cost us in dollars and cents. It is to our interest, as well as to that of suffering millions, to speed Europe's recovery and restore her to a position of political and economic stability". — Editorial in *The Dallas News*.

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"At every turn, the American President and the British Prime Minister are faced by the rock-like fact that until a thorough political settlement between Russia and the Western Powers is effected, no saving answer can be found to the Sphinx-like riddle of the atomic bomb and other new weapons not less terrible in their cumulative effect". J. L. Garvin in *The London Daily Telegraph*.

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"Most Military Government officers with whom I have talked during this tour of the U. S. occupation zone believe we are being too harsh on the nazis. These officers are decent, democratic Americans. They are opposed to nazism and believe it was responsible for the war. But they have been given a job to do, and denazification, they believe, makes that job unnecessarily difficult. The job of these Military Government officers is to clear up the city or the country to which they have been assigned, to get it running again and hand it back to the Germans." Edd Johnson in *The Chicago Sun*.

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As the result of Quebec, two emergency directives were issued to the British and American armies. The first expressly forbade any and every economic rehabilitation except such as might be found necessary to prevent unrest and starvation. The second enjoined non-fraternization. Men who

were working in SHAEF last autumn have described to me the stunned stupor of the experts when they received these orders. Everyone knew that the first of these meant starvation and disease not only in Germany but throughout Europe, and that the second would very soon break down and in the meanwhile would produce, in practice, non-co-operation by Military Government officers, not with Germans, but with German anti-Fascists.. Quebec was the zenith of the 'realist' Anglo-American policy which sacrificed every principle of morality and common sense in the passion for revenge and the search for an Anglo-American security based on power politics." — Polycritic in *The London New Statesman and Nation*.

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"There is no doubt that most Germans feel sorry for themselves at this point. Few of them pause to consider — or would care much if they did — that the people suffered much more during the last two winters in nazi-occupied Poland, in most of Russia, in the partisan islands of resistance in Yugoslavia and in Italian cities like Naples and Rome and Milan. Even in liberated Paris, last winter was far tougher than it was in Berlin, and was, in some respects, as bad as this winter is going to be here." — Russell Hill in dispatch to *The New York Herald-Tribune* from Berlin.

* *

"The problem of the expelled Germans is certain to overshadow the German scene for a long time to come. It is an unpleasant, but a fact, that the protests of the Western Powers against the immediate expulsions of Germans from the lands of the Oder and the Neisse as well as from the Sudetenland have not been effective. The expulsions go on; and fairly soon they may be completed. The anti-German mood in Eastern Europe has probably been stronger than the sense of decency

of peoples and governments alike. But there is no use in crying over spilt milk and the milk was spilt at Potsdam, where the Oder-Neisse frontier was accepted de facto. The question which now arises is how to deal, at least in the short run, with the surplus population that has been carried into Germany, or to put it more accurately, into the Russian Zone of Germany." **The London Economist.**

"The trial of General Yamashita in Manila has produced as foul a tale of savagery as is recorded in all history. But the responsibility goes beyond any single Japanese General, however brutal. For this primitive savagery is the deliberate product of the whole Japanese political, religious and military system, which deliberately extirpated all 'softening' influences of both Oriental religions and Western democracy and embarked on a 'rebarbarization' of the nation as the best preparation for war ... For that system, the whole Japanese nation, from the Emperor downward, must accept responsibility and though a moral re-education of the Japanese nation will present special difficulties, at least all the outward symbols of that system can and should be removed". **Editorial in The New York Times.**

"The United States cannot demobilize all the men who served during World War II, make no further provisions for a standing army and still assume its share of the burdens which have come with peace and protect its own future. There should be a standing army of sufficient size to carry out to the last letter the terms which were imposed upon Germany and Japan. If we fail to do this, we run the risk not only of losing the peace, but of fertilizing the battlefields of future wars". **Editorial in The Houston Chronicle.**

"This city's biggest industry at the moment is the manufacture of anti-Soviet stories and the production has reached the point where export is possible in wholesale lots". **Victor Bernstein in a dispatch to PM from Berlin.**

"The mystery surrounding the delay in publishing the Italian armistice terms is certainly not lessened by a perusal of those terms. The trouble was that the document was no sooner signed than it was obsolescent. Here we undoubtedly have the root cause for the long delay in publishing the terms of the armistice. Yet the fact must be recognized that this secrecy played right into the German hands by giving them the opportunity to broadcast fantastic reports as to just what the armistice did contain. How often has it to be demonstrated that secrecy doesn't pay?" **Editorial in the Washington Post.**

"The election results in Hungary by no means solve the terrible economic problems which that country faces. But the fact that a free election can be held at all in the heart of Europe these days should be an encouragement to genuine Democrats everywhere". **Cincinnati Times Star.**

"Why are relations between Russia and the Western Powers strained? Why, instead of mutual confidence, are there ill-concealed suspicions? The plain truth is that Russia's foreign policy today is based upon fear. Russia finds it hard to forget a fact which we find it hard to remember; the fact that from the day when Disraeli came from Berlin crying, 'Peace with Honor', the policy of all the Western Powers until Chamberlain returned from Munich crying, 'Peace in Our Time', was to appease Germany at Russia's expense". **London Daily Mirror.**

QUALIFICATIONS *for* CIVILIAN Jobs

Personnel qualifications for civilian jobs at Regional level of Military Government are described in these briefs. Qualifications for additional posts open to Military Government personnel will be published in forthcoming issues of The BULLETIN.

INDUSTRIAL MANAGEMENT SPECIALIST — CAF-13

(Base Pay Plus Overseas —
\$7,787.50)

Must have capacity to effect the re-organization of all German Industry in a Land, and to make decisions on which plants shall be allowed to resume business, to define potentially dangerous or useless enterprises, and to guide the enforcement of industrial Allied policy. He must be able to insure that rehabilitated German industry is vulnerable to blockade and bombing and susceptible to Allied control. Must have had experience or training in formulation and enforcement of policies and directives governing industrial control and force recognition and obedience of Allied policy. Some experience in liaison with French, English and Russian occupation forces is desirable.

The positions of Staff Member, Staff Assistant and Staff Aide in this Section also are available with relatively lesser degrees of responsibility at CAF grades 11, 9 and 7 and base pay plus overseas salaries of \$5,375, \$4,550 and \$3,725, respectively.

MINING MANAGEMENT SPECIALIST — CAF-13 (Base Pay Plus Overseas — \$7,787.50)

Must be thoroughly acquainted with the activation, directing and control of mines, quarries and plants for ini-

tial processing of mineral resources. Must be able to effect certain liaison in connection with exchange of minerals on an inter-zonal basis. Under general direction of function head must be able to prepare and enforce technical directives on mining and set policy under Allied over-all rehabilitation plans. This dictates the capacity to exact strict compliance from governmental officials, mine operators, engineers, and workers. Should be experienced in liaison with Allied officials as well as with other sections within the economic structure. Should be a mining engineer with some administrative experience.

The position of Staff Member in this section at CAF-11, base pay plus overseas at \$5,375, is also available.

PETROLEUM, OIL AND LUBRICANTS SPECIALIST — CAF-13

(Base Pay Plus Overseas —
\$7,787.50)

Must be thoroughly familiar with procurement, conservation, distribution and allocation of priorities on all POL and be able under the very general direction of the economies head to formulate and execute policy on these subjects. Must be able to estimate needs, to prepare and enforce detailed administrative and technical directives and to co-ordinate with other functions of the OMG in matters regarding POL. Extensive experiences in li-

quid fuels and lubricants is highly desirable.

The position of Staff Member in this section, CAF-11, base salary plus overseas, \$5,375, is also available.

STAFF MEMBER-ENGINEER — P-4
(Base Pay Plus Overseas —
\$5,375)

Selection of individuals will be on the basis of general, over-all experience in mechanical, electrical, civil, industrial and related engineering. Specific experience in public utilities, industry, mining and POL and a degree in engineering will be qualifying.

JUNIOR STAFF AIDE-ENGINEER — P-1
(Base Pay Plus Overseas —
\$2,900)

Degree in mechanical, electrical, civil, industrial and/or related engineering, or six months successful related experience in Military Government or Civil Affairs will be regarded as qualifying. Must have experience in office management, routine reporting and statistics.

STAFF MEMBER-ECONOMIST — P-4
(Base Pay Plus Overseas —
\$5,375)

Must be broadly experienced in general, over-all economics and/or business; will be assigned wherever work load indicates a need, and experience as outlined for regular Staff Member for commerce and trade, price control, and rationing and allocations and requirements will qualify. College degree in economics desirable.

STAFF ASSISTANT-ECONOMIST — P-3
(Base Pay Plus Overseas —
\$4,550)

General, over-all experience in field of economics, public and private, required. Experience or training should

have developed capacity to evaluate controls, draft inventory and reporting systems and administrative procedures. Should have extensive statistical experience or training. College degree in economics desirable.

JUNIOR STAFF AIDE-ECONOMIST — P-1
(Base Pay Plus Overseas —
\$2,900)

College degree in economics or related field, or six months successful experience in Military Government or Civil Affairs in economics or administration. Experience should embrace reporting, statistics and office management.

**COMMERCE TRADE AND
MANAGEMENT SPECIALIST — CAF 13**
(Base Pay Plus Overseas —
\$7,787.50)

Broad experience and training in complete control of all wholesale and retail firms not specifically under another functional head, and in over-all regulation of intra-regional commercial, business and economic activity. Must appreciate Allied policy for rehabilitation of small industry and co-operatives and have the capacity to plan their reorganization. Must have demonstrated capacity to formulate detailed policy on very general directives from higher authority, to prepare and enforce detailed technical and administrative directives on reorganization, licensing and liquidation of business firms, and to promote re-establishment of wholesale and retail outlets for essential consumer goods. Experience should embrace field investigation and inspection.

The position of Staff Member in this section with lesser degree of responsibility but requiring similar background is available at CAF-11, base pay plus overseas, \$5,375.

**TRADE MANAGEMENT
SPECIALIST — CAF-13**
(Base Pay Plus Overseas —
\$7,787.50)

Experience for this position will have emphasis on capacity to negotiate free trade among Allied and American-held territories, and will embrace clearance of shipments of restricted items, familiarity with German disposition to "export" among its own Länder on a barter basis, effecting agreements to overcome restricted trade, investigations, reports and recommendations concerning trade with Russian-occupied areas, Czechoslovakia, Switzerland, etc. Broad experience in inter-state commerce and trade, and knowledge of one or more languages — French, Russian, German — are highly desirable.

The position of Staff Member in this section is also available at CAF-11, base pay plus overseas, \$5,375.

**PRICE CONTROL AND RATIONING
SPECIALIST — CAF-13**
(Base Pay Plus Overseas —
\$7,787.50)

Broad experience in price control of all goods and services is essential, but capacity to co-operate with other function heads on price controls or services under their jurisdiction is also essential. Some intimacy with policy making is desirable, and ability to execute the policy of higher authority is required. Experience must embrace making or directing the accomplishment of comprehensive investigations of price increases on the general economy, existing price regulations, consumption, currency supply, wage and salary structure, tax and subsidy payment, interzonal trade, etc. Applicant should be able to direct the reorganization of German agencies dealing with price control and rationing. Degree in economics with major study in price control desirable.

The position of Staff Member in this section is also available at CAF-11, base pay plus overseas, \$5,375.

**REQUIREMENTS AND ALLOCATIONS
SPECIALIST — CAF-13**
(Base Pay Plus Overseas —
\$7,787.50)

Comprehensive experience in procurement and distribution of supplies is qualifying. In conjunction with the Head of Economics should be able to define relative needs of various functions for commodities and establish priorities for them. Must have the capacity to formulate policy and apply established policy to the marked differences in need existing in various parts of Germany. Familiarity with QMC, Engineer, G-4, and UNRRA functions as regards supply is essential. Must be able to prepare, consolidate and interpret information and statistics of supply significance.

The position of Staff Member in this section at CAF-11, base pay plus overseas, \$5,375, is also available.

FORESTRY SPECIALIST — CAF-13
(Base Pay Plus Overseas —
\$7,787.50)

An individual experienced in management and utilization of forest and parks is required for this job. Should have, through experience, the ability to organize, train and operate a forestry and game warden service. Further, he should be able to spot check and improve operations in forest management and utilization so as to keep a closely co-ordinated and ambitious forestry program in the proper direction in reforestation, control and production, as will be necessary during the occupation and reconstruction of Germany. Individual must have the necessary ability to aid in the complete denazification of the German Forestry Service, and in addition be able completely to understand the existent German system of

communication. Should be a forestry school graduate.

FORESTRY SPECIALIST — CAF-11

(Base Pay Plus Overseas —
\$4,550)

Individual whose main job is to aid Section Head and to take over a specialized part of a section (Fishing) where his qualifications are outstanding. Should be a forestry school graduate.

FORESTRY SPECIALIST — CAF-9

(Base Pay Plus Overseas —
\$5,375)

A field supervisor — well informed on management of forests. Should be able to take immediate cognizance and action of any area which is being mismanaged as well as a complete understanding of necessary production and control of wood and all its outlets.



TO LT. COLONEL

Maj. Miner B. Phillips, 3d MG. Regt.

TO MAJOR

Capt. Hugh St. Baumgardner, 3d M.
G. Rgt.

Capt. John L. Reitzel, 3d MG. Rgt.
Capt. Clarence M. Bolds, 3d MG. Rgt.
Capt. Carl W. Groppe, 3d MG. Rgt.

TO CAPTAIN

1st Lt. Hermann E. Auerbach, 3d MG.
Rgt.

1st Lt. Charles A. Lavery, 3d MG. Rgt.
1st Lt. Kurt Fredericks, 3d MG. Rgt.
1st Lt. Edward C. Nichols, 3d MG. Rgt.

Payment in Lieu of Terminal Leave Approved

The bill authorizing lump sum payment in lieu of terminal leave has been passed by Congress and signed by the President.

This means that personnel of the armed forces who have performed active service since May 1st, 1940 may accept civilian employment with the U.S. Government while on terminal leave pending separation and receive pay for such leave in addition to the salary of the civilian position.

Those persons who already have relinquished all or part of their authorized terminal leave in order to accept civilian employment may present their claim for terminal leave pay to the disbursing officer who paid final pay account. If payment therefore is proper, it will be made in a lump sum.

A person serving in a U.S. Government civilian position without pay because of receiving terminal leave pay now may submit a claim for civilian pay to the general accounting office, and payment for this will be made in a lump sum. If a position with a state or political sub-division thereof was accepted while on terminal leave, a claim may be presented to disbursing officer who paid the final pay account for payment for leave in lump sum.

No waiver previously effected will now bar payment for any amounts otherwise due under this Act.